IN THE HIGH COURT OF BOMBAY AT GOA
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CIVIL REVISION APPLICATION NO. 235 OF 2002

1. State of Goa, through
   the Chief Secretary
   with its office at
   Secretariat, Panaji, Goa,

2. The Collector of North Goa,
   having his office at
   Panaji, Goa, and

3. The Mamlatdar of Tiswadi
   Taluka, with his office
   at Panaji, Goa. ... Petitioners.

Versus

Bhanu Mono Vadiekar,
r/o Querem, Chorao,
Goa. ... Respondent.

Shri P. A. Kamat, Additional Government Advocate for the petitioners.

Shri S. D. Lotlikar, Senior Advocate with Shri A. D. Bhobe, advocate for the respondent.

CORAM : F. I. REBELLO, J.

DATE :18th July, 2003.

ORAL JUDGMENT

Heard parties. The suit as constituted only contains a prayer for permanent injunction, as the prayer for declaration stands deleted by the Order of the Court dated 12th February, 2001. In these circumstances, it will be open to the civil court to entertain the suit and dispose of the same according to law.

2. There is therefore no error apparent in the order of the trial court.

3. It is also contended on behalf of the petitioners that no notice under Section 80 was served before filing the suit nor liberty granted to file by the Court. That was not in issue before the trial Court. It will be open for the petitioners, if so advised, to take up the issue before the trial Court. It will then be open for the civil court to decide the matter according to law.

With the above directions the Civil Revision Application is disposed of with no order as to costs.

F. I. REBELLO, J.

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